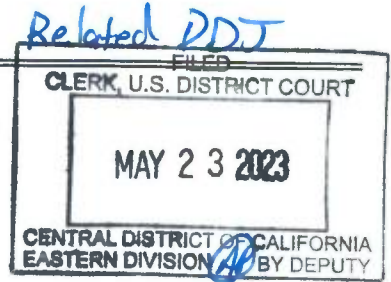


Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)



UNITED STATES DISTRICT COURT

for the
SOUTHERN District of CALIFORNIA
RIVERSIDE Division

No CV71
No CV30

MICHAEL DWAYNE BOLTON

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

(MARCIA) STEVE'S TOWNS

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

ED

CV Case 23

- 00941-JLS(SP)

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

MICHAEL DWAYNE BOLTON
19450 CLARK STREET
PERRIS CA 92570
RIVERSIDE
951 940 9605
BOLTONMICHAEL420@GMAIL.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

STEVE'S TOWING "MARCA"
IMPOUNDS/STORAGE CLERK
152 W. MOUNTAIN AVENUE
PERRIS CA 92570
RIVERSIDE
(951) 940 7960
UNK

☒ Individual capacity☐ Official capacity**Defendant No. 2**

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

JOHN JANE DRES
ATTENDANTS STEVE'S IMPOUND BUS.
152 MOUNTAIN AVENUE
PERRIS CA 92570
RIVERSIDE, CA
(951) 940 7960
UNK

☒ Individual capacity☒ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

(ATTACHED FIRST PAGE)

UNDER SECTION 1983, 42, U.S.C STATE AND LOCAL OFFICIALS

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

ATTACHED FIRST SECOND pg.

STATED ON SEPERATE CONTINUATION (C).

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

ATTACHED FIRST, SECOND, AND THIRD pg.

THE USED STATEMENT WAS ABANDONED DUE TO THE

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

SEE EXHIBIT (A) ATTACHED

THE SHERIFF AS THE MUNICIPALITIES DAVID THOMAS

- B. What date and approximate time did the events giving rise to your claim(s) occur?

ON FEBRUARY 14, 2023 THRU APRIL 17, 2023 + PRIOR.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

BEING HOMELESS MY LIVLYHOOD MEANS OF TRANSPORT

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

MENTAL DISTRESS, UNABLE TO SUPPORT MYSELF AS
NORMAL CITIZENS, MY VEHICLE WAS MY HOME. TO
THIS DATE I HAVE NOT SOUGHT MEDICAL ATTENTION
BUT HAVE MADE AN APPOINTMENT CERTAIN SYSTEMS
OF PHYSICIAN AND LEGAL ISSUES. WHICH IS DUE JUNE 5, 2023
LOST OF APPETITE (FOOD) IN MY SITUATION, POST TRAUMATIC
STRESS

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

INVESTIGATE THIS PRACTICE ~~FOR~~ INJUNCTIVE RELIEF TO
PRIMITIVE DAMAGE RELIEF. CONJUNCTION COMPENSATORY
HAS BEEN CERTAIN TARGETS PRIORLY AND PRESENTLY WHO IS
THE MAIN DRIVER OF THIS CIVIL RIGHTS VIOLATION. BECAUSE
IN CERTAIN SITUATION IT HAS ALSO CAUSED ME CIVIL LIBERTY
AND LOSS OF MY LIVELYHOOD, AND WELL BEING LEAVING ME AND
LOVE ONES LOSTES IN THE PAST POST TRAUMATIC STRESS \$27,000.00

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

MAY 17, 2023

Signature of Plaintiff

Printed Name of Plaintiff

MICHAEL DWAYNE BOLTON

B. For Attorneys

Date of signing:

PRO PER SE.

Signature of Attorney

ABOVE

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

1 CONTINUATION (B) BASIS FOR JURISDICTION C
2 VIOLATES MY 4TH, 5TH, 7TH, 9TH AND 14TH DUE
3 PROCESS RIGHTS DEPRIVATION RIGHTS
4 WHICH ARE SECURED IN STATUTES,
5 REGULATION UNDER THE CONSTITUTION-
6 AL FEDERAL LAW.

7 (C) CONTINUATION; THE SHERIFF DEPARTMENT-
8 NT. MUNICIPALITIES OF THE COUNTY OF
9 RIVERSIDE WHICH REQUESTED THE TOW
10 UNDER 22669 CVC CALIFORNIA VEH-
11 ICLE CODE "ABANDONMENT" AT MY
12 RELEASE HEARING WHICH WAS STATED
13 FOR THEIR REASONING WAS NOT A TERM
14 STATED IN THE CVC CALIFORNIA VEHICLE
15 CODE.

16 (D) CONTINUATION. PLAINTIFFS REPAIRS
17 BEING DONE TO THE VEHICLE FOR A PER-
18 100 OF TIME. THE VEHICLE WAS NOT ON
19 THE PUBLIC STREET FOR LESS THAN 24
20 HOURS PRIOR TO THE TOW IMPOUND/STD-
21 RAGE. PLAINTIFF WAS AT THE TIME DOING
22 REPAIRS ON CERTAIN COMPONENTS ON
23 THE VEHICLE WHEN I STEPPED AWAY
24 FOR A MOMENT WHEN AUTHORITY HAD
25 ARRIVED AND THE OFFICERS BODY CAM
26 SHALL SHOW THAT. ALTHOUGH I WAS HOME
27 LESS AND UNEMPLOYED THE MUNICIPALITY
28 WAS AWARE THAT THIS WAS MY SITUATION

1 CONTINUATION(D) AND MY FINANCE WAS
2 AT A MINIMUM AND DUE TO THE NATURE
3 OF MY MISFORTUNE. THE GOOD CITIZENS
4 OF AMERICANS WOULD GIVE CHARITOL
5 ENCOURAGING SUPPORT VIA DONATIONS
6 AND PLAINTIFFS CONTINUED TO PROCESS
7 WITH ANY FUNDS IN HAND, SO THAT I
8 MAY RETURN BACK TO WORK AT SOME
9 POINT. I APPRECIATE THE RIGHTS WE
10 HAVE AS UNITED STATES CITIZENS.
11 THAT WE ALL LOVE AND ENJOY UNDER
12 THE CONSTITUTION.

13 (D) III STATEMENT OF CLAIM "CONT." A
14 GAVE CONSENT TO TOW THE VEHICLE AND
15 THE VEHICLE HAD NOT BEEN PARKED ON
16 THE PUBLIC STREET SINCE AROUND
17 AUGUST OF 2022 ON THE AREA OF 2100W
18 FLORENCE AND CAVALCO, CITY OF MEAD
19 VALLEY AND IT WAS TOWED ON FEBRU-
20 ARY 11, 2023 BY STEVES IMPOUND AND
21 STORAGE TOW. OF 152 W MOUNTAIN IN
22 PERRIS CALIFORNIA. WHICH I LATER
23 LEARNED AND I CALLED ON THE WEEK
24 END DAY SUNDAY 13TH OF FEBRUARY
25 SEVERAL OCCASSION BUT TO NO AVAIL
26 COULD I MAKE ANY CONTACT. TO CONTEST
27 THE FACT THAT THIS CONTRACT TOW
28

1 IMPOUND SERVICE PROVIDES SERVICE
2 TO EXCEPTS AND IMPOUND CITIZENS
3 VEHICLE, BUT NOT ANYTYPE OF WAY
4 FOR A CITIZEN TO RECOVER THEIR
5 PROPERTY/VEHICLE ON A SUNDAY WITH
6 NOTHING POSTED AT THIS PERIOD OF
7 TIME, BUT CITIZENS SHALL PAY A FULL
8 DAY IF PAYMENT OF A NORMAL 8HR
9 A DAY JOB FOR A SERVICE THAT FELS
10 MY CONSTITUTIONAL RIGHTS I HAVE
11 HAD A GREAT NUMBER OF VEHICLES
12 IMPOUNDED IN THE PAST, CLOSE TO THE
13 NUMBER OF EIGHT OR MORE AND THIS
14 GROWS A HIGH CONCERN ABOUT MY PAST
15 VEHICLES AND SITUATIONS WITH THIS
16 TOW IMPOUND/STORAGE, AND IF THIS
17 CONSTITUTIONAL CIVIL RIGHTS VIOLATION
18 PRACTICE BEEN IN PROCESS SINCE MY
19 VEHICLES BEGAN BEING TAKEN WHICH
20 STARTED IN 2004 OF THOSE VEHICLES
21 I BELIEVE THAT IT IS VIABLY NECES-
22 ARY TO INVESTIGATE PLAINTIFF CLAIM
23 AND IF POSSIBLE I WOULD NEED TO
24 SUPENDA THE SHERIFF, IMPOUND AND
25 DMV TO ACCESS THE INFORMATION.

26 MICHAEL BOSTON
27
28

EXHIBIT (A)

Perris Sheriff Station

Phone: (951)210-1000

Fax: (951)210-1030

To: Tow Company

From: Perris Sheriff Station covering Perris County, City of Perris, City of Menifee, and City of Canyon Lake

The vehicle release fees have been waved by Perris Station.

☐

Recovery

☐

Repossessed

Other: Towed

Date: 2-24-23

Name: Michael Bolton ID number: C 3623037

File number: PC 230420037

Vehicle Information:

Year: 2003 Make: Merz C32

License Plate number: 8TNA143

Released by: RL N7891 Sheriff ID: N7891

Riverside County Sheriff's Department**Perris Sheriff Station**

137 N. Perris Blvd., Ste A, Perris CA 92570 Phone: 951-210-1000/Fax: 951-210-1030

Notice of Stored or Impounded Vehicle

Date Sent: 02/14/2023

Registered Owner(s):
DANIEL M. MICHAEL
9450 CLARK ST
PERRIS CA 92570Legal Owner(s):
N/A

Number: PC230420037

Vehicle Plate: 1N1

Date Towed: 02/11/2023

Available for Release: 02/11/2023

Description: 2003 Mercedes-Benz / C32 / Blue

Authority: 22669a V.C. - Abandoned vehicle

Tow Company: Steve's Tow

152 W. Mountain Ave, Perris CA 92570, Phone: 951-940-7960

The vehicle identified here, registered in your name, was towed/impounded pursuant to the provisions of the California Vehicle Code by our agency identified in the letterhead. Under the provisions of Section 22852 V.C., you may request a hearing to determine the legality of this storage. If you chose to contest the legality of this storage, you must request the hearing in person at or in writing/by telephone to our office. The vehicle storage hearing is an informal process to determine whether or not a vehicle was stored legally.

Your request for a hearing must be received within ten (10) days from the date of this notice. If you request a hearing, it will be conducted within 48 hours of the request, excluding weekends and holidays. Your failure to request or attend a scheduled hearing shall satisfy the Post-Storage Validity requirements of Section 22852 V.C.

If the hearing determines the storage to be unlawful, we will be responsible for the towing and storage charges. If you have any questions, or if this vehicle is no longer owned by you, please contact our office.

I hereby certify that notices with postage prepaid were deposited in the US Mail and these notices, of which this is a copy, were addressed to the person named herein.

Title/ID#: Sheriff's Records Clerk II (N6577)

Vehicle Impound Cost Recovery (V.I.C.R.) Fee

In accordance with the California Vehicle Code (22850.5) the fee must be paid to the County of Riverside or City on specific types of vehicle storages. This fee is in addition to whatever fees due to the tow company as a result of the towing/storage of the vehicle. This fee may be paid at the office during the business hours stated below. On weekend or after hours, the fees may be paid to the storage facility where the vehicle is stored if the vehicle is eligible for release, you must provide proof of current registration and insurance to get your vehicle back.

Business Office: 137 N. Perris Blvd., Ste A, Perris CA 92570 Phone: 951-210-1000/Fax: 951-210-1030

Business Hours: Monday - Friday 8:00 a.m. - 4:30 p.m.

Fees are payable in cash and personal checks only. No credit/debit cards will be accepted.**Fee: \$92.00 -- Riverside County - General Vehicle Storage/Impound Release Fee**

Signature of Person Taking Possession

STEVE'S TOWING INC

P.O. BOX 355, LAKE ELSINORE, CA 92530

PH:951-940-7960 FAX:951-943-9885

DATE: 4-21-23

Steve's Towing Inc. towed a vehicle registered to you. The vehicle was towed from an accident or by contract with the municipality which requested the tow. It was placed in storage for the period of time specified by the C.V.C.

Year: 2003 Date Towed: 2-11-23 ✓

Make/Model: Mercedes C320 Sale Date: 4-17-23

VIN: A441742 License Plate: 8TNA143

Since there was no contact from the registered owner(s) the vehicle was liened and a notification letter mailed to the address on record with DMV. As we received no response or payment from you this vehicle was sold at a public auction. The vehicle has sold for less than the charges owed against it and as the legal registered owner(s) we are requesting payment from you. As of 4-21-23, the charges owed are:

Total charges at time of Auction: \$ 3186.00

Auction Proceeds: -650.00

Amount Due: \$ 2536.00

C.V.C states that the registered owner shall be considered responsible and liable for the vehicle abandonment and the cost of its removal and disposition. Any auction/sale proceeds have been applied toward the costs associated with towing, storage, and other associated fees and you are responsible for the remaining balance.

If Steve's Towing Inc. has not received a response from you within 30 days, we will proceed with collections. Failure to pay your account will force us to assign the unpaid debt to an outside collections company and legal action may be taken against you. It is our preference to work with you to clear up this debt. Please call us at (951) 940-7960 with any questions that pertain to this file.

Sincerely,

7960

marcia →
Steve's Towing Inc.
Collections Dept.
136843

bridge
HOME HEALTHCARE HOSPICE

Clears lien 3/21
@ 1030 AM

37 X 72 = 2,664 storage
tow

308


Lien 70

total as of 3/20

3,042

www.bridgehh.com
www.bridgehc.com

PERRIS STATION TOW COMPANIES

TOWN & COUNTRY TOW 3121 Indian Avenue Perris, CA 92570 Ph: (951) 943-6637 Fax: (951) 943-8967 Take Perris Blvd north to Rider Street. Turn left onto Rider Street and turn left again onto Indian Avenue.	LAWLER'S TRIPLE L TOWING 1090 Harley Knox Blvd Perris, CA 92570 Ph: (951) 943-3335 Fax: (951) 943-3365 Take I-215 FWY north, exit Harley Knox Blvd. Turn right onto Harley Knox Blvd.
BROTHER'S TOWING 228 W. Mountain Avenue Perris, CA 92570 Ph: (951) 943-4802 Fax: (951) 940-1024 Take Perris Blvd south and turn left onto 11 th Street. Turn right onto Goetz Road, then right onto Mountain.	 STEVE'S TOWING 152 W. Mountain Avenue Perris, CA 92570 Ph: (951) 940-7960 Fax: (951) 943-9885 Take Perris Blvd south and turn left onto 11 th Street. Turn right onto Goetz Road, then right onto Mountain.
AUTO AIDE 845 W Nance Street Perris, CA 92571 Ph: (951) 735-2180 Fax: (951) 443-1869 Take Perris Blvd N and turn left onto W Markham Street. Turn right onto W Webster Ave, then left onto Nance St.	WEST TOWING 4615 Wade Avenue Perris, CA 92571 Ph: (951) 657-3307 Fax: (951) 657-8748 Take I-215 FWY north, exit Harley Knox Blvd. Turn right onto Harley Knox Blvd. Turn right onto Patterson Ave. Turn right onto Markham Ave. Turn right onto Wade.

MICHAEL D. BOLTON
19450 CLARK ST.
PERRIS, CA, 92570



ATTN: COURT CLERK:
UNITED STATES DISTRICT
COURT SOUTHERN DISTRICT
OF CALIFORNIA RIVERSIDE
DIVISION
3470 12th STREET
RIVERSIDE, CA, 92501

RECEIVED
CLERK U.S. DISTRICT COURT

MAY 23 2023

CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION BY DEPUTY

